

Employee Post-Travel Disclosure of Travel Expenses

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Post-Travel Filing Instructions: Complete this form within 30 days of returning from travel. Submit all forms to the Office of Public Records in 232 Hart Building.

In compliance with Rule 35.2(a) and (c), I make the following disclosures with respect to travel expenses that have been or will be reimbursed/paid for me. I also certify that I have attached:

- ☒ The original *Employee Pre-Travel Authorization* (Form RE-1), AND
☒ A copy of the *Private Sponsor Travel Certification Form* with all attachments (itinerary, invitee list, etc.)

Private Sponsor(s) (list all): Progressive Policy Institute

Travel date(s): September 17-22, 2018

Name of accompanying family member (if any): N/A

Relationship to Traveler: ☐ Spouse ☐ Child

IF THE COST OF LODGING DID NOT INCREASE DUE TO THE ACCOMPANYING SPOUSE OR DEPENDENT CHILD, ONLY INCLUDE LODGING COSTS IN EMPLOYEE EXPENSES. (Attach additional pages if necessary.)

Expenses for Employee:

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses (Amount & Description)
<input type="checkbox"/> Good Faith Estimate	\$1300	\$900	\$600	
<input checked="" type="checkbox"/> Actual Amount				

Expenses for Accompanying Spouse or Dependent Child (if applicable):

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses (Amount & Description)
<input type="checkbox"/> Good Faith Estimate				
<input type="checkbox"/> Actual Amount				

Provide a description of all meetings and events attended. See Senate Rule 35.2(c)(6). (Attach additional pages if necessary.):

See Attached.

10/10/18
(Date)

Philip James Austin
(Printed name of traveler)

Philip J. Austin
(Signature of traveler)

TO BE COMPLETED BY SUPERVISING MEMBER/OFFICER:

I have made a determination that the expenses set out above in connections with travel described in the *Employee Pre-Travel Authorization* form, are necessary transportation, lodging, and related expenses as defined in Rule 35.

10/12/18
(Date)

Pat Roberts
(Signature of Supervising Senator/Officer)

Senate Attendees

Alexis Alber
Legislative Counsel
Senator Ron Johnson (R-WI)

Alexis Alber serves as Legislative Counsel to Senator Ron Johnson advising the Senator on domestic and international tax policy and general economic issues. This trip will explore the impact of the new U.S. tax law on U.S.-EU relations, EU taxation on American companies operating in Europe, and future potential policy implications.

P.J. Austin
Legislative Assistant
Senator Pat Roberts (R-KS)

P.J. Austin serves as Legislative Assistant for Senator Pat Roberts advising the Senator on domestic and international tax policy and general economic policy issues. This trip will explore the impact of the new U.S. tax law on U.S.-EU relations, EU taxation on American companies operating in Europe, and future potential policy implications.

Zach Mallove
Legislative Assistant
Senator Patty Murray (D-WA)

Zach Mallove serves as Legislative Assistant to Senate Assistant Minority Leader Senator Patty Murray advising the Senator on domestic and international tax policy and economic issues. This trip will explore the impact of the new U.S. tax law on U.S.-EU relations, EU taxation on American companies operating in Europe, and future potential policy implications.

Tiffany Smith
Chief Tax Counsel, Minority Staff Senate Finance Committee
Senator Ron Wyden (D-OR)

Tiffany Smith serves as Chief Tax Counsel on the Senate Finance Committee advising Ranking Member Senator Ron Wyden on domestic and international tax policy. This trip will explore the impact of the new U.S. tax law on U.S.-EU relations, EU taxation on American companies operating in Europe, and future potential policy implications.

Chad Maisel
Economic Policy Advisor
Senator Cory Booker (D-NJ)

Chad Maisel is Economic Policy Advisor to Senator Cory Booker advising the Senator on issues related to commerce, economics, budget and tax. This trip will explore the impact of the new U.S. tax law on U.S.-EU and U.S.-UK relations, EU taxation on American companies operating in Europe, and future potential policy.

DON'T FORGET YOUR PASSPORT!

Guests will travel to Dublin and London via arrangements made by PPI. You are responsible for getting yourself to and from Washington Dulles Airport (IAD).

If you miss or have any problems with your flight:

- Immediately contact the Delta Airlines customer service desk to fix your reservation.
- Once your flight has been re-booked, contact Jana Plat at jplat@ppionline.org or 1-805-207-5741 phone number to update your arrival information, so alternative ground transportation arrangements can be made.

Monday, September 17

10:05PM Flight Departs Washington, D.C.(IAD) for Dublin(DUB)
UA126

Tuesday, September 18

10:00AM Arrive in Dublin(DUB)

10:15AM Airport Shuttle Pickup for Arriving Guests
Jana Plat will be waiting – 1-805-207-5741

11:00AM Arrive at Clayton Hotel Cardiff Lane
Sir John Rogerson's Quay, Dublin 2

12:30-2:00PM Lunch with Dublin Based Business Leaders
Discussion on ongoing state-aid and anti-trust investigations of U.S. companies by the European Commission
Cliff Town House, 22 St Stephen Green, Dublin 2

2:30-3:30PM Meeting with Helen Blake, Assistant Secretary, Department of An Taoiseach (Prime Minister's Office)
Discussion on Ireland's engagement with the EU and upcoming Brexit negotiations
Upper Merrion Street, Dublin 2

3:30-4:15PM Meeting with Pat Ivory, Director of EU and International Affairs, IBEC (Business and Employers Organization)
Discussion on current issues facing Ireland from the perspective of business
84/86 Lower Baggot Street, Dublin 2

4:30PM-5:00PM Meeting with Mark Redmond, CEO, American Chamber of Commerce Dublin
Discussion on competition and privacy policies and the implications for U.S. business operating in Ireland
Cliff Town House, 22 St Stephen's Green, Dublin 2

5:30-6:30PM Meeting with Senator Neale Richmond, Fine Gael Party (Christian Democrat)
Discussion on the implications of Brexit for Ireland and its borders
Seanad Eireann, Leinster House, Kildare Street, Dublin 2

7:30-10:00PM Reception and Dinner with Arthur Beesley, Financial Times
Discussion on Brexit fallout and its impact on Ireland
The Stephen's Green Hibernation Club, 9 St Stephen's Green, Dublin 2

Wednesday, September 19

- 8:15AM-9:30AM** Breakfast meeting with Paul Haran, Board Director and ex Secretary-General, Department of Enterprise
Discussion on the implications of Brexit for Ireland, US-Ireland relations, and Irish and European political climates
The Stephen's Green Hibernation, 9 St Stephen's Green, Dublin 2
- 10:00AM-11:00AM** Meeting with Mark Griffin, Secretary General, Department of Communications, Climate Action and Environment
Meeting on the implications of Brexit for Ireland, US-Ireland relations, and Irish and European political climates
29-31 Adelaide Road, Dublin 2
- 12:30PM-1:30PM** Lunch meeting with Timmy Dooley TD, Fianna Fail, Spokesperson
Discussion on the implications of Brexit for Ireland, US-Ireland relations, and Irish and European political climates
ONE PICO, Molesworth Place, off St. Stephens Green, Dublin 2
- 3:00PM-3:45PM** Meeting with Karl Finnegan, Trade Policy Unit, Department of Business, Enterprise and Innovation
Discussion on the implications of Brexit for Ireland, US-Ireland relations, and Irish and European political climates
Seanad Eireann, Leinster House, Kildare Street, Dublin 2
- 4:00-4:30PM** Meeting with Nicholas O'Brien, Assistant Secretary, Department of Finance
Discussion on EU state-aid investigations and US-Ireland digital trade
Government Buildings, Merrion Street Upper, Dublin 2, Ireland
- 4:45PM-5:30PM** Meeting with Ciarán Cannon, Minister of State for the Diaspora and International Development
Discussion on the implications of Brexit for Ireland, US-Ireland relations, and Irish and European political climates
Ministry of Foreign Affairs, Iveagh House, 80 St Stephen's Green, Dublin 2
- 7:00-10:00PM** Dinner with Brian Hayes MEP, Fine Gael
Discussion on EU antitrust and tech and telecoms regulation
Blue room, Dean Hotel, 33 Harcourt Street, Dublin 2

Thursday, September 20

- 6:30AM-7:30AM** London Trip briefing
Sir John Rogerson's Quay, Dublin 2
- 8:40AM** Flight Departs Dublin(DUB)
BA 4463
- 10:10AM** Flight Arrives at London City Airport(LCY)
- 11:30AM** Arrive at Strand Palace Hotel
372 Strand, London WC2R 0JJ
- 12:15- 1:45PM** Lunch Meeting with the Tony Blair Institute for Global Change
Chris Yiu, senior policy fellow for technology, Renewing the Centre team at the Tony Blair Institute for Global Change
Discussion on laying groundwork for digital policy in the U.K.
Spring, Lancaster Place London SW1A 2HP
- 2:00-3:30PM** Meeting with Jimmy McLoughlin, Special Adviser to Prime Minister Theresa May
Discussion on US-UK relations and private tour of 10 Downing
10 Downing Street, London SW1A 2AA

4:00-5:00PM Tour of UK Parliament
Discussion on functions of UK Parliament and private tour
Parliament, London, SW1A 0AA

5:30-7:00PM Meet and Greet Reception hosted by PPI
Meet and greet with UK government staff counterparts
Tranferwise, The Tea Building, 56 Shoreditch High St, London E1 6JJ, UK

7:30-10:00PM Dinner with Matthew Goodwin, professor at the School of Politics and International Relations, the University of Kent, and Associate Fellow at Chatham House.
Discussion with British journalist on the process of Brexit and what it means for the U.S. and Europe
Margot, 45 Great Queen Street, Covent Garden, London, WC2B 5AA

Friday, September 21

8:30-10:00AM Breakfast Meeting with COADEC
Discussion on US-UK digital trade and innovation policies
Bloomberg, 3 Queen Victoria St, London EC4N 4TQ, UK

10:30- 11:30AM Meeting with Mike Williams, HM Treasury, Director of Business and International Tax
Discussion on digital taxation and state-aid investigations in the EU and UK
1, Horse Guards Rd, Westminster, London SW1A 2HQ, UK

12:00-1:30PM Lunch with the BAB, British American Business council
Discussion on U.S. businesses operating in the UK
Atlantic House, 50 Holborn Viaduct, London EC1A 2FG

2:00-3:00PM Meeting with the Department for Digital, Culture Media and Sport
Yasmin Brooks, Cyber Security and Data Director
Discussion on UK digital policy and cyber security for U.S. businesses operating in the UK
4th Floor, 100 Parliament Street, London SW1A 2BQ

4:00-5:00PM Meeting with Patrick Diamond, Policy Network
Discussion on UK-US relations and current UK political climate
372 Strand, London WC2R 0JJ

6:00-9:00PM Final dinner with Labour Members of UK Parliament
Trip debrief and wrap-up discussion
372 Strand, London WC2R 0JJ

Saturday, September 22

12:15PM Flight Departs London (LHR) for Dulles (IAD)
UA919

3:15PM Flight Arrives in Dulles (IAD)

United States Senate

SELECT COMMITTEE ON ETHICS

September 11, 2018

Philip Austin
Office of Senator Pat Roberts
United States Senate
Washington, DC 20510

Dear Mr. Austin:

This responds to your recent correspondence concerning an invitation you received to travel on a fact-finding trip to Dublin, Ireland and London, England, on September 17-22, 2018, sponsored by the Progressive Policy Institute (PPI). PPI certified to the Select Committee on Ethics (the Committee) that it will pay the *necessary expenses*¹ related to the travel and that it is neither a lobbyist, nor lobbying firm, nor agent of a foreign principal, and it is not otherwise acting as a representative or agent of a foreign government. PPI has also certified that it does not retain or employ a registered lobbyist or agent of a foreign principal and that no registered lobbyist will accompany you at *any point throughout your trip*.²

Based on information and materials available to the Committee, and assuming the **actual** travel and travel-related expenses conform to the information and materials you provided, it appears that the proposed payment or reimbursement of necessary expenses for this trip **may be accepted** under relevant Senate Rules and the Committee's *Regulations and Guidelines for Privately-Sponsored Travel*, so long as at the time of the payment or reimbursement, PPI is neither a registered lobbyist nor lobbying firm under the Lobbying Disclosure Act of 1995, nor an agent of a foreign principal under the Foreign Agents Registration Act (and is not otherwise acting as a representative or agent of a foreign government), and provided the travel and all required documents are disclosed to the Secretary of the Senate in accordance with the provisions of Senate Rules 34 and 35.

Under Senate Rule 35, Senate staff must receive advance authorization signed by the Member or officer under whose direct supervision the individual works in order to accept payment or reimbursement for necessary expenses related to fact-finding travel. Further, such authorization and expenses must be disclosed to the Secretary of the Senate by filing the completed *Employee Pre-Travel Authorization* and the *Employee Post-Travel Disclosure of Travel Expenses* (Form RE-1 and Form RE-2), along with a copy of the *Private Sponsor Travel*

¹ The term "necessary expenses" has a specific definition. See *Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel – Glossary of Terms* at 8.

² The term "any point throughout your trip" has a specific definition. See *Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel – Glossary of Terms* at 2.

Certification Form, and all relevant attachments (e.g., the private sponsor's invitation and itinerary) **within 30 days of the conclusion of Privately-Sponsored Travel**.

The Committee has determined that § 501(c)(3) non-profit organizations that are classified as private foundations, as opposed to public charities, may not pay for transportation from the United States to a foreign country.³ However, PPI represented to the Committee that it is a § 501(c)(3) public charity, as opposed to a private foundation, pursuant to the Internal Revenue Code.⁴

Please be advised that the United States Constitution prohibits the acceptance of any gift, including a meal, from a foreign government without the consent of Congress. In the Foreign Gifts and Decorations Act (FGDA), Congress consented to the acceptance by federal government officials of: (1) gifts of minimal value and (2) travel or the expenses for travel taking place entirely outside the United States, from a foreign government (which includes those acting as a representative or agent of a foreign government).⁵ The Senate has defined minimal value as \$100 or less. Further, pursuant to FGDA, there are certain reporting and procedural requirements that are imposed upon Members, officers, and employees who accept gifts from a foreign government. Please review the Committee's "Dear Colleague" letter of January 16, 2018, setting forth the items to be included in filing that report.

Finally, Senate Rule 34 requires a reporting individual,⁶ on his or her Financial Disclosure Report, to make an annual disclosure of the receipt of payments or reimbursements under Senate Rule 35 from a private sponsor for officially-related travel expenses where, in the aggregate, travel expenses exceed \$390 from that sponsor during a calendar year. However, if a Member, officer, or employee properly reports the receipt of necessary expenses for such travel to the Secretary of the Senate within 30 days of the travel, as discussed above, the travel expenses need not be disclosed a second time on their Financial Disclosure Report.

If you have any additional questions, please do not hesitate to contact the Committee.

Sincerely,



Deborah Sue Mayer
Chief Counsel and Staff Director

Enclosure: Travel Checklist

³ See 26 U.S.C. § 4941 et seq. Section 501(c)(3) of the Internal Revenue Code broadly defines non-profit, charitable, tax-exempt organizations. These § 501(c)(3) organizations are then further defined or designated as "public charities" and "private foundations."

⁴ 26 U.S.C. § 501(c)(3).

⁵ 5 U.S.C. § 7342.

⁶ A reporting individual is someone whose salary equals or exceeds 120% of the basic rate of pay for GS-15 (\$126,148 for CY 2018) or is a political fund designee and is required to file Financial Disclosure Reports.

EMPLOYEE PRE-TRAVEL AUTHORIZATION

Date/Time Stamp:

Pre-Travel Filing Instructions: Complete and submit this form at least 30 days prior to the travel departure date to the **Select Committee on Ethics in SH-220**. Incomplete and late travel submissions will not be considered or approved. This form must be typed and is available as a fillable PDF on the Committee's website at ethics.senate.gov. Retain a copy of your entire pre-travel submission for your required post-travel disclosure.

Name of Traveler: Philip Austin

Employing Office/Committee: Senator Pat Roberts

Private Sponsor(s) (list all): Progressive Policy Institute

Travel date(s): 09/17 - 09/22

Note: If you plan to extend the trip for any reason you must notify the Committee.

Destination(s): Dublin, Ireland and London, U.K.

Explain how this trip is specifically connected to the traveler's official or representational duties:

As a legislative assistant for Senator Roberts, I am his primary advisor on tax policy in his capacity as a member of the Senate Finance Committee, and other financial services issues. As is stated on the itinerary for this trip, this mission will hold meetings directly related to the new U.S. tax law's impact on EU-US relations, the aftermath of Brexit and what it means for US-UK relations, and other financial issues. Several of the topics stated on the itinerary are directly related to my professional portfolio and responsibilities.

Name of accompanying family member (if any): N/A

Relationship to Employee: ☐ Spouse ☐ Child

I certify that the information contained in this form is true, complete and correct to the best of my knowledge:

8/31/18

(Date)


(Signature of Employee)

TO BE COMPLETED BY SUPERVISING SENATOR/OFFICER (President of the Senate, Secretary of the Senate, Sergeant at Arms, Secretary for the Majority, Secretary for the Minority, and Chaplain):

Senator Pat Roberts

Philip Austin

I, Senator Pat Roberts hereby authorize Philip Austin
(Print Senator's/Officer's Name) (Print Traveler's Name)

an employee under my direct supervision, to accept payment or reimbursement for necessary transportation, lodging, and related expenses for travel to the event described above. I have determined that this travel is in connection with his or her duties as a Senate employee or an officeholder, and will not create the appearance that he or she is using public office for private gain.

I have also determined that the attendance of the employee's spouse or child is appropriate to assist in the representation of the Senate. (signify "yes" by checking box) ☐

8/31/18

(Date)


(Signature of Supervising Senator/Officer)